



## STATE OF DELAWARE LEGISLATIVE COUNCIL

### Meeting Minutes Thursday, November 7, 2019

**Members Present:** Senator David B. McBride, Chair; Representative Peter C. Schwartzkopf, Vice Chair; Senators Nicole Poore, Brian Townsend, Gerald Hocker, and Catherine Cloutier; Representatives Valerie Longhurst, J. Larry Mitchell, Daniel Short, and Timothy Dukes

**In attendance:** Mark Cutrona, Director, Division of Research/Legislative Council; Holly Vaughn Wagner, Deborah Gottschalk, Amanda McAtee, Mark Brainard, Donald Sellers, and Colinda Marker, Division of Research/Legislative Council; Michael Morton, Controller General; Dawn Hill, Controller General Office; Janet Roberson, Director, Legislative Information Systems (LIS); David Deputy, House Minority Chief of Staff; Sean Finnigan, House Majority Chief of Staff; Debra Allen, Senate Majority Chief of Staff; David Burris, Senate Minority Chief of Staff; Richard Puffer, Chief Clerk of the House; Valerie McCartan; Sarah Wootten; Lt. Scott Simpson, Capitol Police; Michael Svaby, Director, Facilities Management; James DeChene; Dee Durham, Tre Sullivan, Plastic Free Delaware; Armond Yousefkhani, Simaron Steak Shop; Matt Bittle

### AGENDA

1. Welcome – Sen. McBride, Chair
2. Approval of September 24, 2019, Meeting Minutes
3. Legislative Council Report – Mark Cutrona, Director of the Division of Research
4. Controller General Report – Michael Morton, Controller General
5. New Business
  - a. Discussion of request for the cafeteria to be plastic free – Plastic Free Delaware Representative
  - b. Executive Session\*
6. Next Meeting – Wednesday, January 15, 2020
7. Public Comments
8. Adjournment

#### 1. Welcome

Representative Schwartzkopf called the meeting of Legislative Council to order at 12:21 p.m. in the Joint Finance Hearing Room.

#### 2. Approval of September 24, 2019, Meeting Minutes

A motion was made by Sen. Poore and seconded by Sen. Townsend to approve the September 24, 2019, Legislative Council meeting minutes. Motion carried. Vote: 10 yes. Senators McBride, Poore, Townsend, Hocker, and Cloutier; Representatives Schwartzkopf, Longhurst, Mitchell, Short, and Dukes

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**3. Legislative Council Director's Report** – Mark Cutrona advised that the Wreaths Across America Statehouse Kickoff will be held at Legislative Hall on Monday, December 9 at 11:30a.m. Invitations have been sent and an electronic reminder will follow closer to the event date.

Mr. Cutrona provided an update on the Print Shop equipment change. New equipment began arriving the first week of November and was installed at the beginning of the week. The remaining printers are scheduled for delivery and installation the week of November 18. Staff is receiving training on the new equipment. The print shop is confident there will be no interruption in services. The first full test will be the upcoming House Pre-File.

Mr. Cutrona provided updates on the status of the Division's vacancies. Interviews were held for the Assistant Registrar of Regulations position on October 28. References are being checked on top candidates and a final decision is pending. Mr. Cutrona is working with the Department of Human Resource to finalize the posting for the Legislative Librarian position. He anticipates the posting will go live on the Delaware Employment Link today.

Mr. Cutrona thanked the staff of the Registrar's Office for continuing to complete work in a timely manner during their busiest time. He also thanked the administrative staff of the Division for providing additional support to that office.

The Joint Legislative Oversight and Sunset Committee (JLOSC) staff have been assisting the Committee with 3 task forces and reviews from last year. The Division of the Visually Impaired (DVI) and Delaware Health Information Network (DHIN) Task Forces are being co-chaired by Holly Vaughn Wagner and Amanda McAtee. These task forces are entering their final stages and are preparing for presentation to JLOSC in January. Mark Brainard is assisting the Division of Developmental Disabilities Services (DDDS) Task Force and its subcommittees. The staff have also been reviewing documents for the upcoming reviews that will begin in January. This includes the Delaware Interscholastic Athletic Association; the Delaware Health Resources Board; the Conservation District Operation Program, DNREC Division of Watershed Stewardship; and the Delaware Nursing Home Residents Quality Assurance Commission. Senator Poore inquired how subcommittees are being staffed. Mr. Cutrona called Mark Brainard to answer the question. Mr. Brainard advised the DDDS Task Force has split into 5 subcommittees, the chairs of the subcommittees are members of the DDDS Task Force. Senator Hansen's aide is staffing two subcommittees, Representative Johnson's aide is staffing two subcommittees, and Senator Delcollo's aide is staffing the remaining subcommittee. Mr. Brainard posts meeting notices, agendas, and minutes for the subcommittees.

Mr. Cutrona advised he, Holly Vaughn Wagner, and Deborah Gottschalk are coordinating the annual Delaware Legislative Drafting Workshop for in-house attorneys scheduled for Friday, January 10. The code revisors and editors from LexisNexis will be in attendance again this year. Based on previous feedback the workshop will be expanded this year to cover more topics. A drafting workshop has also been scheduled on January 9 at Buena Vista for Executive Branch agencies.

Mr. Cutrona has been working with Capitol Police to update the General Assembly Safety Plan in response to the March incident. The Legislative Hall Facility Use Policy is also being reviewed. Final recommendations should be ready for presentation to Council in January. Mr. Cutrona shared that the ADA Policy approved at the last meeting is also being finalized and will be posted on the website once complete.

**4. Controller General's Report** – Michael Morton advised his office is currently involved in the budget hearings being held by Office of Management and Budget. Agencies are presenting requests for the Governor's Recommended Budget for FY21. Hearings began last Monday and will continue through Thanksgiving week.

Mr. Morton shared that the purchase order is being finalized for the Evacuation Chairs approved at the last Legislative Council meeting. It will take 2-3 weeks for delivery; on-site training will follow.

## **5. New Business**

- a. Discussion of request for the cafeteria to be plastic free – Tre Sullivan, Plastic Free Delaware Representative. Tre Sullivan introduced herself and Dee Durham, New Castle County Representative for District 2. She provided background information about Plastic Free Delaware, a nonprofit organization founded by Ms. Durham 10 years ago. Their goal is to minimize, and eventually eliminate, single use plastics. They are requesting the food service cafe at Legislative Hall minimize use of Styrofoam, plastic utensils, and plastic straws. Ms. Sullivan provided a summary of the dangers of polystyrene. Ms. Durham shared the steps that New Castle County has taken to minimize

the use of single use plastics. Armond Yousefkhania, Simaron Steak Shop, shared the research he has conducted and the effects of transitioning to biodegradable green products. Rep. Schwartzkopf noted that this decision doesn't require the approval of Council. The Council discussed the recommendations made including the importance of leading by example, not only in the cafeteria but throughout the building, and keeping in mind the needs of people with disabilities.

6. **Next Meeting** - Wednesday, January 15, 2020

7. **Public Comments** – None

8. **Executive Session\***

**A motion was made by Rep. Longhurst and seconded by Rep. Mitchell to resolve into executive session to discuss personnel matters in which the names, competency, and abilities of individual employees are discussed under 29 Del. C. § 10004(b)(9) and to discuss pending or potential litigation under 29 Del. C. § 10004(b)(4), or both. Motion carried. Vote: 10 yes. Senators McBride, Poore, Townsend, Hocker, and Cloutier; Representatives Schwartzkopf, Longhurst, Mitchell, Short, and Dukes**

Respectfully submitted,  
Mark Cutrona  
Director  
Division of Research/Legislative Council